

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA**

In re:

Administrative Order 04-10

**Modification of Procedures for Assigning
Divisional Venue of Specified "North Dade"
Chapter 13 Cases to Phase Out Assignment to
Judge Hyman, Transfer Existing Cases and
Related Proceedings to Judge Ray and
Clarification of Status of Administrative Order 99-8.**

Pursuant to Local Rule 1073-1(A), individual debtor cases are assigned to the division where the "street address of debtor" is located according to the petition. In 1999, the court reviewed this judicial assignment procedure and determined that, due to the far greater number of cases filed in the Miami Division, an unequal distribution of chapter 13 cases among the judges in the Miami and Ft. Lauderdale Divisions occurred. As a result, Administrative Order 99-8 was issued on November 12, 1999 to ensure an equal distribution of cases which contributes to judicial efficiency and economy. As provided by AO 99-8, the court has conducted a recent review of this assignment process and **ORDERS** as follows:

1. This order replaces Administrative Order 99-8.
2. Local Rule 1073-1(A)(1) shall not apply to any new chapter 13 petition filed where the street address of the debtor contains one of the following zip codes: 33015, 33054, 33055, 33056, 33160, 33161, 33162, 33167, 33168, 33169, 33179, 33180, or 33181. Instead, such cases shall be assigned to the Ft. Lauderdale Division and shall be designated as "North Dade Chapter 13 Code 5" cases. Such cases shall be assigned sequential five digit case numbers (following the two digit year designation) which will begin with Code "5" (e.g. 04-50001).
3. Chapter 13 cases filed or reopened on or after November 1, 2004 assigned to the Ft. Lauderdale Division pursuant to paragraph two of this order shall be assigned to Judge Raymond B. Ray.
4. Effective December 7, 2004, all pending North Dade Chapter 13 Code 5 cases and any related adversary proceedings for those cases which are assigned to Judge Hyman will be transferred to Judge Ray. The clerk is directed to serve a notice of transfer of judicial assignment on all parties of record in these cases. Any papers filed on or after this date in these cases shall reflect the initials of Judge Ray (RBR) in the case number instead of Judge Hyman (PGH).

5. Nancy Herkert, standing Miami Division chapter 13 trustee, will continue to serve as trustee for the "North Dade Chapter 13 Code 5" cases.
6. All § 341 meetings for "North Dade Chapter 13 Code 5" cases shall be set in the Miami Division. Motions and Contested Confirmation hearings will be set for hearing in the Ft. Lauderdale Division.
7. "North Dade Chapter 13 Code 5" petitions may be filed in either the Miami or Ft. Lauderdale clerk's offices. Subsequent papers for these case (except for claims which are filed in Miami) shall be filed in the Ft. Lauderdale Division.
8. If a "North Dade Chapter 13 Division Code 5" case converts to another chapter, it shall remain in the assigned Ft. Lauderdale Division.
9. Chapter 7, 11 or 12 cases with "North Dade" zip codes will not be reassigned even if they convert to chapter 13.
10. The court will periodically review the assignment procedure implemented by this Order in an effort to achieve and maintain an equal distribution of chapter 13 cases amongst the judges.

ORDERED in the Southern District of Florida on October 29, 2004.

/s _____
ROBERT A. MARK
Chief United States Bankruptcy Judge

c: All SD Bankruptcy Judges
Office of the U.S. trustee
Standing chapter 13 trustees